

CITY OF BUNKER HILL VILLAGE

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF BUNKER HILL VILLAGE, TEXAS SEPTEMBER 21, 2010 – 5:00 P.M.

I. PLEDGE OF ALLEGIANCE

The mayor suspended with the pledge.

II. CALL TO ORDER

Mayor Essary called the meeting to order at 5:00 p.m. in the Council Chambers of City Hall, 11977 Memorial Drive, Houston, Texas.

Present:

Mayor Derry D. Essary
Councilman Keith Brown
Councilman Dave Ellis
Councilwoman Cooky Mays (arrived @ 5:05)
Councilwoman Susan Schwartz
Councilman Jay Smyre

Also in Attendance:

Ruthie Sager, City Administrator
Loren Smith, City Attorney
Kelly Johnson, City Secretary/Director of Finance
Steve Smith, Dir of Public Works/Building Official
Tom Ramsey, City Engineer

III. FIRE COMMISSIONER'S REPORT

A. Per the 2009 Audit, \$113,698 is excess of revenues. \$21,602.62 (19%) is being returned to the City of Bunker Hill Village

Councilman Brown said the money has already been returned to the city.

B. Notice that David Foster has been named as Chief for the Village Fire Department

Councilman Brown stated that the new chief, David Foster, is to start on September 27th.

IV. NOTICE OF THE 2010 PROPERTY TAX RATES IN THE CITY OF BUNKER HILL VILLAGE

Ms. Ruthie Sager, City Administrator, said in September we received our taxable values of \$1,271,255,259 for the 2010 tax year which funds the 2011 budget. She also said we received an additional \$46,928,396 in new taxable value. She said the total taxable value of \$1,318,183,655 multiplied by the effective rate of \$.0273040 will generate the same amount of revenue as last year. Ms. Sager said she believed we can operate on the same about of revenue as last year.

Councilman Ellis said our taxable values are down by about 4.3%. He wanted clarification and stated that we have to raise our effective rate to \$.0273040 to generate the same about of revenues as last year. Ms. Sager confirmed Councilman Ellis statement.

V. PUBLIC HEARING

**TO RECEIVE COMMENTS FROM THE PUBLIC, EITHER ORAL OR WRITTEN,
REGARDING THE PROPOSED BUDGET FOR 2011**

Mayor Essary opened the public hearing at 5:38 p.m.

No comments

Mayor Essary closed the public hearing at 5:39 p.m.

VI. DISCUSSION AND POSSIBLE ACTION REGARDING THE FOLLOWING ITEMS:

- A. AN ORDINANCE APPROVING AND ADOPTING THE CITY OF BUNKER HILL VILLAGE, TEXAS GENERAL BUDGET FOR THE YEAR 2011; MAKING APPROPRIATIONS FOR THE CITY FOR SUCH YEAR AS REFLECTED IN SAID BUDGET ESTABLISHING THE PROCEDURE FOR INTRA-BUDGET TRANSFERS; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT.

Councilman Ellis said we had a Budget Workshop on September 2, 2010. Ms. Kelly Johnson, City Secretary/Director of Finance, briefly went over the totals by fund.

Motion was made by Councilman Brown and seconded by Councilwoman Mays to approve and adopt an ordinance of the City of Bunker Hill Village, Texas General Budget for the year 2011; making appropriations for the city for such year as reflected in said budget establishing the procedure for intra-budget transfers; and containing other provisions relating to the subject. Motion carried 5-0

- B. AN ORDINANCE PROVIDING FOR THE LEVY AND COLLECTION OF AD VALOREM TAXES OF THE CITY OF BUNKER HILL VILLAGE, TEXAS, FOR THE YEAR 2010; PROVIDING THE DATE ON WHICH SUCH TAXES SHALL BE DUE AND PAYABLE; PROVIDING FOR PENALTY AND INTEREST ON ALL TAXES NOT TIMELY PAID; PROVIDING FOR SEVERABILITY; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HERewith

Ms. Ruthie Sager, City Administrator, said the proposed debt rate is \$0.100893 and the proposed M&O rate is \$0.172417 for a total proposed 2010 tax rate of \$0.273040.

Motion was made by Councilman Ellis and seconded by Councilman Brown to adopt the proposed M&O tax rate of \$0.172417 for tax year 2010. Motion carried 5-0

Motion was made by Councilman Brown and seconded by Councilman Smyre to approve the proposed rate of \$0.100893 for Debt Service for the tax year 2010. Motion carried 5-0

Motion was made by Councilwoman Schwartz and seconded by Councilman Brown to adopt the ordinance as read. Motion carried 5-0.

VII. CITIZENS' COMMENTS

This is an opportunity for citizens to speak to council relating to agenda and non-agenda items. Comments are limited to three minutes. If the topic the speaker wishes to address is on the agenda, the speaker can either speak at this time or defer comments until such time the item is discussed.

Speakers are required to address council at the microphone and give their name and address before voicing their concerns.

Note: To comply with provisions of the Open Meetings Act, the City Council may not deliberate on items discussed under this agenda item. Items that cannot be referred to the city staff for action may be placed on the agenda of a future City Council meeting.

John Glover at 11637 Blalock Lane said thank you for the new council meeting signs and the new stop sign on Blalock Road. He also commended Bunker Hill Village's Police Commissioners, he said they stand out and are a voice of reason.

Michael Miller at 11644 Greenbay commented on riding his bicycle along Memorial Drive. He stated the sidewalk between Clarendon and Knipp are too narrow and uneven. He asked council to allow bicycles on Memorial Drive or widen the sidewalk in that area.

Mr. Rain Tamerisa at 11602 Blalock Forest wanted to report a broken drainage pipe a motorist damaged. He stated that he is unable to fix his driveway because of the broken drain pipe and wants to know what to do about it.

Bob Newman at 314 Chapel Belle Lane wanted to wait and speak when W151 is discussed.

VIII. MAYOR'S REPORT

A. Winshire Homeowners Association Meeting

Mayor Essary said two weeks ago he went to the Winshire Homeowners Association Meeting. He reminded council that they had some flooding issues connected with W146 in the April 2009 rain event. The mayor said they have commissioned an independent engineering study. He said they are a well informed group and anything we do to solve flooding issues on the west side of Bunker Hill we also need to include addressing the flooding issues on the east side.

IX. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUNKER HILL VILLAGE, TEXAS IN SUPPORT OF THE APPLICATION BY 8200 SOUTHWEST FREEWAY LLC ("APPLICANT"), TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ("TCEQ") FOR A MUNICIPAL SETTING DESIGNATION ("MSD") FOR PROPERTY LOCATED NORTH OF THE INTERSECTION OF SOUTH GESSNER ROAD AND US 59 IN HOUSTON, HARRIS COUNTY, TEXAS AND ADDRESSED AS 8200 SOUTHWEST FREEWAY, HOUSTON, TEXAS 77036, AND AUTHORIZATION FOR THE MAYOR OF THE CITY OF BUNKER HILL VILLAGE, TEXAS, TO EXECUTE AN INDEMNITY AGREEMENT IN FAVOR OF THE CITY OF BUNKER HILL VILLAGE, TEXAS, INDEMNITEE, AND EXECUTED BY 8200 SOUTHWEST FREEWAY, LLC, INDEMNITOR

Mayor Essary said this has been before council and we asked that a resolution be drafted.

City Attorney, Loren Smith, stated he has reviewed the resolution that included the Indemnity Agreement.

Motion was made by Councilman Brown and seconded by Councilwoman Schwartz to approve the resolution with the Indemnity Agreement as read by Kelly Johnson, City Secretary/Director of Finance. Motion carried 5-0.

X. CONSENT AGENDA

"ALL MATTERS LISTED UNDER CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION, THERE WILL NOT BE SEPARATE DISCUSSION OF THESE ITEMS. IF DISCUSSION IS DESIRED, THAT ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY."

- A. Minutes of the August 17, 2010 Regular City Council Meeting
- B. Minutes of the July 28, 2010 Special City Council Meeting
- C. August 2010 Financials
- D. Kingsley Constructors, Inc., Estimate Number 5 for the period July 1 thru July 31, 2010, in the amount of \$31,932.00 for Surface Water Line to Water Plant No. 2 and Modifications to Water Plant No. 1
- E. McGrath Consulting Group Agreement dated August 24, 2010, in the amount of \$3,043.16
- F. Authorize accepting bids for disposal of 1992 Ford dump truck

Motion was made by Councilwoman Mays and seconded by Councilman Smyre to approve the consent agenda. Motion carried 5-0.

XI. JOHN DAVIS, P.E., LANGFORD ENGINEERING – REPORT ON THE CITY'S SECOND CONNECTION TO THE CITY OF HOUSTON SURFACE WATER LINE

Mr. John Davis with Langford Engineering said Kingsley Constructors are about 98% complete with the project. He said City of Houston (COH) was out early this week and had one issue, the air gap. He said COH did approve the plans and they simply want to look one more time at the air gap system. He said the SCADA system is being coordinated and installed this week.

Mr. Davis said we should be able to connect with City of Houston in about two weeks.

XII. COUNCILMAN JAY SMYRE – COMMUNICATIONS COMMITTEE REPORT

Councilman Smyre said they are moving ahead with four initiatives. The first initiative is signs. He said we have added 5 new signs announcing the council meetings. Secondly, moving from two lengthy newsletters annually to four newsletters with less content and easier to absorb. Thirdly, a survey to go out with the October water bills. Fourthly, working on getting 90% participation on the e-mail list.

XIII. COUNCILWOMAN COOKY MAYS – CITY OF BUNKER HILL VILLAGE CITY LIMIT SIGNS

Councilwoman Mays showed council different styles of signs and discussed locations. She was directed to move forward on getting a price and remembering the budget amount of \$20,000.

XIV. DISCUSSION AND POSSIBLE ACTION CONCERNING THE CURRENT POLICY FOR STREET SIGN REPLACEMENT

Councilwoman Mays said from last month's meeting she took the same style and dimensions as Mrs. Claire Martin presented. Councilwoman Mays submitted the specifications for approval to be the standard for residents if they want to upgrade and pay themselves for a street sign pole.

Motion was made by Councilman Brown and seconded by Councilman Smyre to allow a change to the current street sign pole policy for allowing individual streets to ban together for the purchase of a customized street sign pole as outlined by Councilwoman Mays.

Motion carried 5-0

XV. KLOTZ ENGINEERING UPDATE ON ENGINEERING STUDY FOR DRAINAGE RELATED TO W151

Mr. Tom Ramsey, with Klotz Engineering, reported that they are moving forward with the design. He said they are looking at several options. One option is putting in a flat gate that would completely shut off the water from W151 going into Strey Lane. Another option is putting a box culvert down Strey Lane.

Mr. Ramsey said he was excited to see the maps completed by the TIRZ. He said finally we are getting on the same page regarding the flooding in Bunker Hill Village.

XVI. DISCUSSION AND POSSIBLE ACTION REGARDING PROPOSAL FOR CLEANING ALL SIGNS IN THE CITY

The mayor said he received one bid to clean city signs. Mayor Essary asked Mr. Smith, Director of Public Works/Building Official, based on the bid and how many signs we had what would be the estimated total cost. Mr. Smith replied slightly under \$4,000.

Mayor Essary said he needed to see if he could get a second bid. The one bid was from Mr. Slot and the mayor needed to see if it's a conflict of interest.

No action was taken

XVII. DISCUSSION AND POSSIBLE ACTION REGARDING DESIGNATION OF REPRESENTATIVE AND ALTERNATE TO THE HOUSTON-GALVESTON AREA COUNCIL 2011 GENERAL ASSEMBLY

Mayor Essary said our current representative is Councilwoman Schwartz and our alternate is Councilwoman Mays.

Motion was made by Councilman Ellis and seconded by Councilman Brown to continue with Councilwoman Schwartz as our representative to the Houston-Galveston Area Council and Councilwoman Mays as the alternate. Motion carried 5-0.

XVIII. CITY ADMINISTRATOR'S REPORT

A. Meeting at City of Houston related to regional drainage

The mayor said it's amazing the attention concerning the discussion about the Strey Lane Drainage Project has yielded. Mr. Potak, with Harris County Flood Control (HCFC), has met with the TIRZ and the City of Houston and discussed the Strey Lane Drainage Project to the point they have come back to Bunker Hill Village and said they would like to participate in it.

The mayor showed maps completed by the TIRZ on behalf of HCFC of Bunker Hill Village and surrounding areas. He showed the flooding impact of a ten year rain event with the current drainage, then if one 8x8 box culvert was put down Strey Lane, then if two 8x10 box culverts were put down Strey Lane. Then the mayor showed the same examples with a hundred year rain event.

The mayor said he believed it was very important that the TIRZ participate in this. The mayor said it is becoming painfully clear that nobody wants to touch W151. He stated that he believed that W151 was built on a ridge and they cannot get enough depth in W151. He said they need to put something deeper than what they can get out of W151.

The mayor said he would like to reduce the amount committed to relieve the W151 drainage problem and spend the same amount that Bunker Hill Village originally committed to the solution, but also include some drainage relief to W146.

Councilman Ellis said the most important piece of what the TIRZ presented was left out, the retention. He said if you recall on the Gessner Project they originally talked 10-15 acre feet, we got 4 acre feet. He said then go back to the retention requirement for the proposed W151 solution, it was a 40-50 acre feet. He said now the City of Houston and TIRZ property is all of the sudden too valuable for retention and they want to transfer the retention to underground in the City of Bunker Hill Village. He said, are we going to allow COH to drain underground in Bunker Hill Village?

Councilman Ellis said they want to take a monumental drainage project underground and down the core of Bunker Hill Village and when it backs up, it will back up in the homes of our residents first. He said we significantly breach our residents if we do that. Councilman Ellis said we have been hoodwinked once, let's not have it happen again.

Bob Newman said two years ago the number two man from HCFC said the modeling was in error and he has never heard back from him.

The mayor said he told HCFC that this would be a hard sell to both his residents and to city council.

Mr. Ramsey said in the study they are doing they are not using the model, they use the rational method. He said our design focus is getting water out of Bunker Hill Village.

XIX. POLICE COMMISSIONER'S REPORT

A. Police Department Activities

Mr. Slot, Police Commissioner, said they had a brief meeting this month. He said the items they took care of were the RFP for insurance, refunding of 2009 budget, and the purchase of a 2010 Tahoe. He said they tabled and will discuss at a workshop meeting the policy of hiring new officers.

XX. ADJOURN

Motion was made by Councilman Brown and seconded by Councilman Ellis to adjourn the meeting at 7:05 p.m. Motion carried 5-0.

Approved and accepted on October 19, 2010.


DERRY D. ESSARY, Mayor

ATTEST:


Kelly Johnson, City Secretary